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21
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23
24 **NORTHERN DISTRICT OF CALIFORNIA**
25
26 **SAN FRANCISCO DIVISION**
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1 **IN RE GOOGLE PLAY STORE
ANTITRUST LITIGATION**

2 THIS DOCUMENT RELATES TO:

3 *In re Google Play Consumer Antitrust
4 Litigation*, Case No. 3:20-cv-05761-JD

Case No. 3:21-md-02981-JD

5 **DECLARATION OF MICHELLE M.
BURTIS, PH.D., IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
PLAINTIFFS' CLASS
CERTIFICATION MOTION**

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7 Judge: Hon. James Donato

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1 **TO PLAINTIFFS AND THEIR ATTORNEYS OF RECORD:**

2 I, Michelle M. Burtis, Ph.D., declare as follows:

3 1. I am a Senior Consultant at Charles River Associates, an economic and finance
 4 consulting firm with offices in the United States as well as internationally. I have a Ph.D. in
 5 Economics from the University of Texas at Austin and have published in the field of economics.
 6 I have personal knowledge of the matters stated in this declaration. I would competently testify
 7 to them as a witness.

8 2. I was asked by counsel for the Defendants Google LLC, Google Ireland Ltd.,
 9 Google Commerce Ltd., Google Asia Pacific Pte. Ltd and Google Payment Corp. (collectively,
 10 “Google”) to review and respond to the opinions offered in the expert report of Dr. Hal J. Singer,
 11 in which Dr. Singer asserts that Plaintiffs can determine the fact of antitrust injury and measure
 12 alleged damages using common evidence and common methodology for all proposed consumer
 13 class members, as well as to address economic considerations regarding whether doing so is
 14 possible.

15 3. On March 31, 2022, I submitted an expert report, which responds to the Class
 16 Certification Report of Hal J. Singer, Ph.D., dated February 28, 2022 (“Singer Rep.”).

17 4. In Dr. Singer’s report, Dr. Singer examined a proposed class comprised of Google
 18 Play consumers in the United States. *See, e.g.*, Singer Rep. ¶ 274, Table 11, Appx. 6. My report
 19 also addressed a proposed class of Google Play consumers in the United States.

20 5. On May 26, 2022, Consumer Plaintiffs filed their motion for class certification
 21 motion, seeking to certify a narrower proposed class than the one analyzed by Dr. Singer and
 22 myself. Nothing about this narrower class causes me to change any of my opinions.

23 6. Counsel for Google asked me to revise certain exhibits to my report that describe
 24 the consumer class to reflect the narrower proposed class. The revised exhibits do not cause me
 25 to change any of my opinions. These revised exhibits are being presented for the purpose of
 26 accuracy and to aid the Court.

7. Attached hereto as **Exhibit A** is a true and correct copy of a revised version of Ex. 20 to my report (“Rev. Ex. 20”).

8. Attached hereto as **Exhibit B** is a true and correct copy of a revised version of Ex. 21 to my report (“Rev. Ex. 21”).

9. Attached hereto as **Exhibit C** is a true and correct copy of a revised version of Ex. 23 to my report (“Rev. Ex. 23”).

10. Attached hereto as **Exhibit D** is a true and correct copy of a revised version of Ex. 24 to my report (“Rev. Ex. 24”).

I declare under penalty of perjury that the foregoing is true and correct. Executed on this
22nd day of June, 2022 in Washington, D.C.

Michelle M. Burtis, Ph.D.